

REMARKS

A Final Office Action, dated July 16, 2004, rejects pending claims 1-20. Claims 1 and 5 have been further amended herein. Reconsideration is respectfully requested in light of the amendments and the following remarks.

35 USC § 103

Applicants respectfully traverse the examiner's rejection of claims 1-20 as being rendered obvious by the references of record. "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so . . ."

[MPEP § 2143.01]. Applicants traverse the examiner's rejections of these claims on at least the following three grounds:

1. No teaching to group the plurality of prescription orders together in a common carrier and to electronically bundle a plurality of prescription orders from the same customer together using the common carrier

As currently amended, all of the pending claims include limitations that the plurality of prescription orders for the same customer be grouped together in a common carrier and electronically associated with each other. As explained more fully in the specification of the present application, this bundling facilitates tracking through the pharmacy and retrieval of all of the customer's filled prescription orders upon pickup.

None of the references of record teach or suggest such features. Accordingly, these references cannot anticipate or render obvious independent claims 1 and 5, as currently amended, and therefore they should now be in condition for allowance. Moreover, since dependant claims 2-4 and 6-20 depend on either claim 1 or 5, they too should now be in condition for allowance.

2. Detachable tracking tags & Tag readers at each cubby

Applicants respectfully traverse the examiner's comments that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a detachable tag with the invention of Denenberg et al, so that the tags may be re-used." The examiner has cited no references to teach or suggest such a combination as claimed in claim 11.

Similarly, applicants respectfully traverse the examiner's comment that "[I]t would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a tag reader in each cubby, to reduce the workload of the worker and reduce error."

The level of skill in the art cannot be relied upon to provide the suggestion to combine references." (MPEP § 2143.01). Accordingly, applicants respectfully traverse the examiner's comments regarding this issue.

3. No teaching to combine references

Similarly, while McCullough discloses a customer notification display system, there is no teaching or suggestion in any references of record to use such a system in a pharmacy in accordance with the limitations of claims 2-4 and 16-19. Accordingly, these claims should also be allowable on these grounds.

In view of the foregoing, applicants submit that all of the currently pending claims are in condition for allowance, and respectfully request that the case be passed to issuance. If the Examiner has any questions, he is invited to contact applicants' attorney at the below-listed telephone number.

Respectfully submitted,

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